



W.P.No.38763 of 2024

IN THE HIGH COURT OF JUDICATURE AT MADRAS

Dated : 03.01.2025

CORAM

THE HONOURABLE Ms. JUSTICE P.T. ASHA

W.P.No. 38763 of 2024

J.Latchaboopathi

...Petitioner

Vs.

1.The Inspector General of Registration
No 100, Santhome Highroads,
Chennai 28

2.The Deputy Inspector General of Registration
Door No. 50, Sankara Naidu Road,
Thirupathiripuliyur,
Cuddalore 607 002

3.The District Register
Door no 50, Sankara Naidu Road,
Thirupathiripuliyur,
Cuddalore 607 002

4.The Sub Registrar
Kadampuliyur Sub Register Office,
Kadampuliyur, Pandruti Taluk,
Cuddalore 607 103

...Respondents



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Prayer: Writ Petition is filed under Article 226 of the Constitution of India to issue a Writ of Mandamus, directing the 4th respondent to register the Amendment Document dated 19.09.2024 for the settlement deed dated 11.09.2014, executed based on the Joint Memo and the order in O.S. No 8 / 2022 dated 17.04.2024 by the District Munsif Court in Panruti, in consideration of representation submitted by the petitioner to respondents.

For Petitioner : Mr. S.Nedunchezhiyan

For Respondents : Mrs. C.Meera Arumugam
Additional Government Pleader.

ORDER

The Writ Petition is filed for the following relief:

“To direct the 4th respondent to register the Amendment Document dated 19.09.2024 for the settlement deed dated 11.09.2014, executed based on the Joint Memo and the order in O.S. No 8 / 2022 dated 17.04.2024 by the



District Munsif Court in Panruti, in consideration of representation submitted by the petitioner to respondents”.

2. The Writ Petition seeks a mandamus to the 4th respondent to register the amendment document dated 19.09.2024 for the settlement deed dated 11.09.2014, on the basis of the joint memo in O.S.No.8 of 2022, on the file of the District Munsif, Panruti, by considering the representation submitted by the petitioner.

3. The petitioner would submit that on 11.09.2014, he executed a settlement deed in favour of his minor grand son K.Surya, in respect of an extent of 10 cents in S.No.21/9, Azhagapasamuthiram Village, Panruti Taluk, within specified boundaries. The description of the boundaries are as follows, south by the remaining lands of settlor, west by Radhakrishnan's land, East by pathway and North by Saravanan's land.



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4. On 01.03.2021, one Purangani Murugan, who is also one of the purchaser of lands in S.No.21/9 from petitioner, had filed a complaint against the petitioner and his brother Subramanian, before the 3rd respondent alleging an error in measurement and seeking a cancellation of the settlement deed executed by the petitioner in favour of his grand son and other Documents bearing Nos.861/2019, 1602/2019 and 1276/2020.

5. After enquiry, the 3rd respondent directed the petitioner to file an amended document to the settlement deed dated 11.09.2014. Until such order, no documents should be executed. Against this order, Purangani Murugan filed an appeal to the 2nd respondent. The 2nd respondent after enquiry passed an order on 30.09.2022, stating that on the filing of the amendment document to the settlement deed, the extent of the land on the Southern boundary had to be amended and the total extent of land should be amended as 5.5 cents along with two mango trees.



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6. Meanwhile, one Mayakrishnan and Murukanantham, sons of Subramanian filed a suit in O.S.No.8 of 2022, on the file of the District Munsif, Panruti, against the petitioner and the petitioner's minor grand son, Surya. The suit is for a declaration that the extent of 29 cents in S.No.21/9, belonged to them and for a consequential injunction and to declare the settlement deed dated 11.09.2014 executed by the petitioner in favour of Minor Surya, to an additional extent of 4.5 cents as null and void.

7. In the course of the hearing, the parties entered into a compromise and a joint memo of compromise was filed and decree passed in terms thereof, by the District Munsif, Panruti, in O.S.No.8 of 2022, on 17.04.2024. Pursuant to this compromise decree, the petitioner submitted amendment deed before the 4th respondent. The settlement deed dated 11.09.2014 was sought to be amended in respect of the southern boundary, to read as “South to Purangani Murugan's land” and the total extent to be shown as “5.5 cents along with two



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mango trees”.

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8. The petitioner would submit that he made a representation to the respondents to register the amendment document. However, the representation was not considered constraining the petitioner to approach this Court.

9. Heard the learned counsels and perused the records.

10. Taking into account the fact that the petitioner only seeks consideration of his representation to register the amendment document and the same not having been considered to date, a mandamus is issued to the 4th respondent to consider the representation and either register the document or refuse to register it if so by issuing a speaking orders. The said exercise shall be completed, within a period of 2 weeks from the date of receipt of a copy of this order. The 4th respondent shall take into consideration the compromise decree in O.S.No.8 of 2022 on the file of the District Munsif Court, Panruti.



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11. The Writ Petition is allowed. No costs.

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Index : Yes/No
Internet : Yes/No
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